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Customer No. 26874
PATENT TRADEMARK OFFICE
Attorney Docket: END909.0511036

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: Frederick E. Shelton IV et al. : Paper No:
Serial No. 10/615,974 : Group Art Unit: 3721
Filed: July 9, 2003 : Examiner: Paul Durand
For: SURGICAL STAPLING INSTRUMENT INCORPORATING A TAPERED
FIRING BAR FOR INCREASED FLEXIBILITY AROUND THE
ARTICULATION JOINT

AMENDMENT TRANSMITTAL

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment for the above-captioned application.

Applicant is a

☐ Small Entity

☒ Large Entity

The proceedings herein are for a patent application and the provisions of 37 C.F.R.
§1.136 apply.

(complete (a) or (b), as applicable)

(a) ☐ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37
C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below:

<u>Extension</u> <u>(months)</u>	<u>Fee for other than</u> <u>small entity</u>	<u>Fee for</u> <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	420.00	210.00

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<input type="checkbox"/>	three months	650.00	475.00
<input type="checkbox"/>	four months	1,480.00	740.00
			Fee: \$ 0.00

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for ____ months has already been secured. The fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$_____

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for petition for extension of time.

FEE FOR CLAIMS

	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Extra	Rate Small Entity		Rate Large Entity	Add'l Fee
Total *	18	Minus **	13	= 0.00	X 9.00	\$	X 18.00	\$ 0.00
Indep. *	3	Minus ***	3	= 0.00	X 43.00	\$	X 86.00	\$ 0.00
<input type="checkbox"/> First Presentation of Multiple Dependant Claim				0.00	X 145.00	\$	+290.00	\$ 0.00
					Total Addt'l. Fee	\$	Total Addt'l. Fee	\$ 0.00

* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

If the "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of the prior amendment or the number of claims originally filed.

(complete (c) or (d) as required)

- (c) ☒ No additional fee for claims is required.

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(d) ☐ Total additional fee for claims required \$ _____

FEE PAYMENT

☐ Attached is a check in the sum of \$ _____ covering the total additional fee for claims required.

☐ Please charge Frost Brown Todd LLC Account No. 06-2226 for the total fee due.

A duplicate of this transmittal is attached.

The Assistant Commissioner for Patents is authorized to charge any deficiency or credit any overpayment of fees to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,

Frederick E. Shelton IV et al.

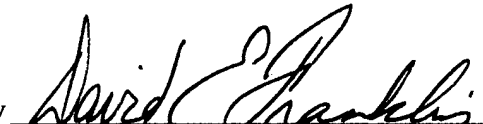
CERTIFICATE OF MAILING

I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to, MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

August 11, 2004

Elizabeth A. Middleton
Elizabeth A. Middleton

By



David E. Franklin
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AMENDMENT & RESPONSE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action, dated June 25, 2004, please amend the above-identified application as follows.

Amendments to the Claims begin on page 2 of this paper.

Remarks begin on page 13 of this paper.